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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

FLORIE JOHNSON,

Plaintiff,

v.

UNITED STATES OF AMERICA, ET AL.,

Defendants.

Case No. 4:23-cv-02336-DMR

**UPDATED JOINT CASE MANAGEMENT  
STATEMENT AND STIPULATION TO  
EXTEND TIME FOR COMPLETION OF  
MEDIATION AND TO CONTINUE FURTHER  
CASE MANAGEMENT CONFERENCE;  
ORDER (AS MODIFIED)**

Current Date: September 4, 2024  
Current Time: 1:30 p.m.

The Honorable Chief Magistrate Judge Ryu

WHEREAS, there is a Zoom case management video-conference scheduled for the above-captioned matter on September 4, 2023 at 1:30 p.m.;

WHEREAS, per Order dated April 17, 2024, this Court allowed the Parties 180 days to participate in mediation through the Northern District’s ADR program;

STIPULATION TO CONTINUE TIME TO MEDIATE; ORDER (AS MODIFIED)

WHEREAS, the case was referred to mediation on April 4, 2024, and thereafter, the Parties conducted ADR conferences on May 16, 2024 and July 24, 2024, and the case was referred to Mediator David A. Levy on July 29, 2024;

WHEREAS, on August 16, 2024, the Parties had an initial phone meeting with Mediator Levy where it was agreed that a mediation would be set for **January 15, 2025 at 9:30 a.m.** due to the Parties' and the Mediator's scheduling needs, and that the Parties would request and stipulate this request for an extension of time to complete mediation;

WHEREAS, the Parties are participating in active discovery, having both propounded written discovery to each other, and are in discussions regarding possible depositions of (i) the Plaintiff, (ii) Dr. Kennedy (a previous defendant who no longer works for the VA but for whom the United States has substituted in) and (iii) a witness to the event at issue, who now resides in Michigan; and

WHEREAS the Parties are confident that this short extension of the deadline to complete mediation will not interfere with the trial and associated dates currently set in the case, while this time is necessary to provide the best opportunity for the case to settle.

IT IS HEREBY STIPULATED, by the parties to the above-captioned action, that the time to conduct mediation in this case be continued to January 15, 2025. The Parties are amenable to a continuance of the case management conference to after the scheduled mediation, although they remain available for the upcoming case management conference if the Court deems it beneficial.

DATED: August 28, 2024

ISMAIL J. RAMSEY  
United States Attorney

/s/ J. Bernardoni  
JEVECHIUS D. BERNARDONI  
Assistant United States Attorney

Attorneys for the United States of America

DATED: August 28, 2024

/s/ J. Swanson  
Julien Swanson  
Austin Swanson Law Firm PC  
Attorneys for Florie Johnson

*\*Per CLR 5-1(h)(3), the filer attests all signatories have concurred in the filing of this document.*

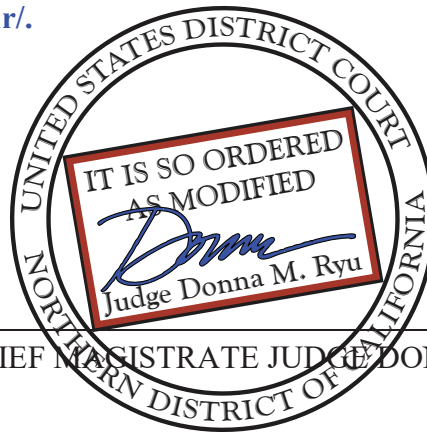
**ORDER**

Pursuant to the parties' stipulation, the time to complete mediation is extended to January 15, 2025. The Further Case Management Conference set for September 4, 2024 at 1:30 p.m. is vacated and continued to January 29, 2025 at 1:30 p.m. in Oakland, by Videoconference only. Parties shall file an updated joint case management conference statement by January 22, 2025.

All counsel and parties may access the webinar information (public hearings) at <https://cand.uscourts.gov/judges/ryu-donna-m-dmr/>.

IT IS SO ORDERED AS MODIFIED.

Dated: August 30, 2024



CHIEF MAGISTRATE JUDGE DONNA M. RYU